

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

| | | |
|---------------------------|---|--------------|
| UNITED STATES OF AMERICA, |) | 4:02CR3210 |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | |
| |) | ORDER |
| WALTER A. PHIPPS, |) | |
| |) | |
| Defendant. |) | |

IT IS ORDERED that:

- (1) The government's motion to set for hearing (filing 35) is granted.
- (2) A hearing on the government's motion for reduction of sentence pursuant to Rule 35(b) (filing 32) has been set before the undersigned United States district judge at 1:00 p.m., Wednesday, April 26, 2006, in Courtroom No. 1, United States Courthouse and Federal Building, 100 Centennial Mall North, Lincoln, Nebraska.
- (3) At the request of the defendant through his counsel, and with the agreement of the government, the defendant may be absent from the hearing on the Rule 35 motion.
- (4) The Marshal is directed not to return the defendant to the district.
- (5) The defendant is held to have waived his right to be present.

April 4, 2006.

BY THE COURT:

s/ Richard G. Kopf
United States District Judge